

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YVONNE CONNOLLY

Plaintiff,

19 cv 7469 (PKC)

-against-

ORDER

KEVIN J.FOREMAN,

Defendants.

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CASTEL, U.S.D.J.:

Plaintiff is a citizen of the Republic of Ireland. (Doc 20.) She brings this action invoking subject matter jurisdiction by reason of diversity of citizenship, 28 U.S.C. § 1332.

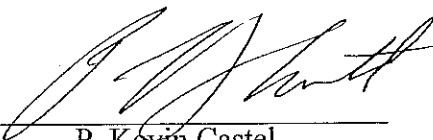
Defendant has now disclosed that he is a citizen of Canada. (Doc 22.).

“The rule of complete diversity—that no plaintiff and no defendant may be a citizen of the same state—applies to alienage cases as well as to ordinary diversity cases.” F. & H.R. Farman-Farmaian Consulting Engineers Firm v. Harza Eng'g Co., 882 F.2d 281, 284 (7th Cir. 1989) (citing Newman–Green, Inc. v. Alfonzo–Larrain, 109 S. Ct. 2218, 2221 (1989)). And, “the presence of aliens on two sides of a case destroys diversity jurisdiction,” just like the presence of two citizens of the same state. Corporacion Venezolana de Fomento v. Vintero Sales Corp., 629 F.2d 786, 790 (2d Cir. 1980).

There is no subject matter jurisdiction because there are aliens on both sides of the case.

The action is DISMISSED. The Clerk shall close the case.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
January 17, 2020